

AN ORDINANCE 99927

ACCEPTING DEDICATION OF A 0.0045 ACRE TRACT OF LAND FROM THREE LEE INVESTMENTS LIMITED IN EXCHANGE FOR A RELEASE OF AN INUNDATION EASEMENT AND RESTRICTIVE COVENANT IN CONNECTION WITH THE SUNSET ROAD – JONES MALTSBERGER TO BROADWAY MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9.

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WHEREAS, by a request to the City of San Antonio, **Three Lee Investments Limited**, a Texas Limited Partnership, has offered to dedicate to the City a 0.0045 acre (approximately 195 square feet) tract of land out of Lot 49, New City Block 11883, Olmos Park Estates, in exchange for an agreement by the City to release an Inundation Easement and Restrictive Covenant located within two tracts of land out of Lot 49, New City Block 11881, Olmos Park Heights; and

WHEREAS, the City Storm Water Engineering Division has reviewed this request and approved the exchange for property, the dedication property being needed by the City in connection with the Sunset Road – Jones Maltsberger to Broadway MPO Project, located in Council District 9; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City of San Antonio hereby accepts the dedication by Deed Without Warranty from Three Lee Investments Limited, a Texas Limited Partnership, of a 0.0045 tract of land out of Lot 49, New City Block 11883, Olmos Park Estates. A copy of the Deed Without Warranty, executed on behalf of **Three Lee Investments Limited**, is affixed hereto as **Attachment I** and incorporated herein verbatim for all purposes.

SECTION 2. The Interim City Manager, or his designee is hereby authorized to execute a Release of Inundation Easement and Restrictive Covenant, pertaining to two tracts of land out of Lot 49, New City Block 11883, Olmos Park Heights, with such Inundation Easement and Covenant having been set forth in a Deed dated January 18, 1983, from the City of San Antonio to Quincy Lee Company, recorded in Volume 2765, Page 534, of the Official Public Records of Real property of Bexar County, Texas, as requested by **Three Lee Investments Limited** in exchange for dedication of the 0.0045 tract of land by Deed Without Warranty, as referenced in **SECTION 1.** above. A copy of the Release of Inundation Easement and

Restrictive Covenant is affixed hereto as **Attachment II** and incorporated herein verbatim for all purposes.

SECTION 3. The Director of Finance is authorized to record and account for the transaction in accordance with Generally Accepted Accounting Principles (GAAP) and all applicable laws.

SECTION 4. This ordinance shall be effective on October 31, 2004.

PASSED AND APPROVED this 21st day of October, 2004.




M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney

Agenda Voting Results

Name: 12.

Date: 10/21/04

Time: 02:49:19 PM

Vote Type: Multiple selection

Description: Ordinance accepting dedication of a 0.0045 acre tract of land from Three Lee Investments Limited in exchange for a Release of an Inundation Easement and Restrictive Covenant in connection with the Sunset Road - Jones Maltzberger to Broadway MPO Project, located in Council District 9. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2	Not present			
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5	Not present			
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		